

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VICKI SHERIDAN,

Plaintiff,

vs.

KUHNS KARE, INC.,

Defendants.

4:18CV3089

ORDER

The parties' joint motion to continue, (Filing No. 67), is granted with modifications, and

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference in this case are **continued**, and they will be re-scheduled during a conference call to be held before the undersigned magistrate judge on **July 9, 2019 at 1:00 p.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties shall also be prepared at that time to discuss their interest in alternative dispute resolution.
- 2) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is July 1, 2019. Motions to compel discovery under Rules 33, 34, and 36 must be filed by July 15, 2019.
Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.
- 3) The deadline for complete expert disclosures¹ for all experts

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated

expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#))), is May 13, 2019. Any rebuttal disclosures shall be served on or before May 28, 2019.

- 4) The deposition deadline is July 1, 2019.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is July 24, 2019.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is July 15, 2019.
- 7) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

April 4, 2019

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

within that expert's treatment records and reports must be separately and timely disclosed.